IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE SIXTEENTH DAY OF NOVEMBER
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE V.ESWARAIAH

WRIT PETITION No. 24462 of 2005

Between:

Syed Noor Ahmed

..... PETITIONER

AND

The Commissioner of Endowments,

Hyderabad and 2 others

.....RESPONDENTS

ORDER:

Seeking a Mandamus, declaring the action of the respondents in not confirming the sale in respect of the land admeasuring Ac.2.50 cents in Sy.No.575 of Kothapatnam village and Mandal, Prakasam District in favour of the petitioner in pursuance of Public Auction held on 16.12.1998, as illegal and arbitrary, the present writ petition is filed.

Heard the learned counsel for the petitioner and the learned Government Pleader for Endowments.

The petitioner submits that pursuant to the public notification for the sale of lands of the 3rd respondent temple, he has offered highest bid for an amount of Rs.56,250/- for the lands mentioned in the writ petition and immediately he has paid one-third of the bid amount, amounting to Rs.22,500/- on the date of auction i.e. on 16.12.1998. As per the conditions of the Tender, the balance amount has to be paid immediately within two weeks from the date of confirmation of sale. It is stated that the confirming authority is the 1st respondent. To confirm the said sale, the 2nd respondent sent his report and recommendations to the 1st respondent on 30.01.1999. But so far, the 1st respondent has not confirmed the sale. It is further stated that the 1st respondent vide his letter dated 16.10.2003, directed the 2nd respondent to re-submit the proposals as the original papers are not traced. Pursuant to the said letter, the 2nd respondent again submitted the proposals along with Xerox copies of the auction proceedings and true copy of the earlier report dated 30.01.1999, vide his letter dated 05.11.2003. There after the petitioner also made a representation on 11.05.2005 requesting the 1st respondent to pass appropriate orders confirming the sale in his favour as he has fulfilled his part of duties and obligations. He has also expressed the inconvenience caused to him in developing the land for want of confirmation of sale.

Having regard to the facts and circumstances of the case and as the proposals are

still pending with the 1st respondent, I deem it appropriate to dispose of the writ petition, with a direction to the

1st respondent to consider and dispose of the representation of the petitioner dated 11.05.2005 pursuant to the recommendations and report of the 2nd respondent dated 05.11.2003, in accordance with law, within a period of 4 (four) weeks from the date of receipt of a copy of this order.

With the above observations, the Writ Petition is disposed of. No order as to costs.

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V.ESWARAIAH,J

Dated: 16.11.2005.

Dsr